



**Notice of Funding Opportunity**

***Plan of Work FFY2020***  
**Emergency Management Performance Grant (EMPG)**

**Applications must be submitted through  
Egrants on or before August 31, 2019**

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## Contact Information for this Notice of Funding Opportunity

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### Submit Applications Using Egrants

Applications must be submitted through the Egrants online grants management system. If you have never used Egrants before, you will need to register for access to the system. To register online, go to <http://register.wisconsin.gov/accountmanagement/default.aspx> and complete the 'self registration' process.

Authorization to access Egrants can take several days depending on registration activity. The WEM help desk is open Monday-Friday 7:30 AM - 4:00 PM if you need assistance. (Please note: If you register outside of these hours, access may not be approved until the next business day.) Once your Egrants access has been approved, you may begin your online grant application.

Egrants Assistance: Help Desk: 608-242-3231 or [WEMEgrants@egran.us](mailto:WEMEgrants@egran.us)  
The help desk is staffed on non-holiday weekdays between 7:30AM and 4:00PM.

The Egrants system user guide has step-by-step instructions for accessing and using the Egrants online system. The guide is posted on the grants page of the WEM website: <https://wem.egran.us/egmis/documents/EgrantsExternalUserGuide5-2-201-Final.pdf>

Online Help is available throughout the Egrants application process. Once you have started an application, look for the HELP button in the top right corner of the screen. Page-specific instructions can be found there.

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## Requirements for Federally Funded Grants

### Data Universal Numbering System (DUNS) Number:

The federal government requires a DUNS number as part of the grant application to keep track of how federal grant money is awarded and dispersed. If your organization needs to obtain a DUNS number, go to <http://fedgov.dnb.com/webform>. You can also search this site if you cannot find your agency's number. Under normal circumstances, a new account can be created in 24-72 hours. The federal government has published DUNS Frequently Asked Questions at <http://fedgov.dnb.com/webform/displayFAQPage.do>. Check with your agency's financial office before registering for a DUNS number - it is likely your agency already has one.

**Unique Entity Identifier and System for Award Management (SAM):**

All applicants for this grant opportunity must be registered in SAM before submitting an application; and continue to maintain an active SAM registration with current information at all times during the period of performance for the grant.

WEM's website has a helpful guide for SAM registration.

[https://dma.wi.gov/DMA/divisions/wem/egrants/SAM.gov Registration.pdf](https://dma.wi.gov/DMA/divisions/wem/egrants/SAM.gov%20Registration.pdf)

**WEM cannot award a grant until the applicant has complied with all applicable DUNS and SAM requirements.**

## **Notice of Funding Opportunity: *Plan of Work FFY2020 EMPG***

**Description:** WEM provides grant funds to assist in maintaining a county/tribal emergency management program.

EMPG grant funding shall be used by county/tribal emergency management programs to complete a plan of work that accomplishes all State of Wisconsin statutory and U.S. Department of Homeland Security (U.S. DHS), Federal Emergency Management Agency (FEMA), and Wisconsin Emergency Management (WEM) program requirements. It is important that county/tribal emergency management programs provide the opportunity for all facets of government and the whole community to participate in the emergency management process to promote resiliency in their communities.

**Opportunity Category:** Limited Eligibility

### **Important Dates:**

Application Due Date:	August 31, 2019
Project Start Date:	October 1, 2019
Project End Date:	September 30, 2020
Financial Close-out:	October 31, 2020

### **Reporting Requirements:**

Program Reports must be submitted: final only  
Financial Reports must be submitted: final only

**Anticipated Funding Amount:** WEM's awarding of grants and distribution of funds under this agreement is contingent upon the availability of federal funds and census report.

**NOFO Documents:** This NOFO as well as the supporting documents and referenced WEM Directives are available in WebEOC®, file locations below.

- WebEOC® > Advanced File Library > Plan of Work Documents > FFY20 EMPG
- WebEOC® > Advanced File Library > WEM External Policy Directives

<u>COUNTY</u>	<u>EMPG</u>	<u>COUNTY</u>	<u>EMPG</u>	<u>TRIBE</u>	<u>EMPG</u>
ADAMS	29,932	MARATHON	90,272	BAD RIVER TRIBE	17,686
ASHLAND	33,798	MARINETTE	49,360	FOREST COUNTY POTAWATOMI TRIBE	12,848
BARRON	43,577	MARQUETTE	24,958	HO-CHUNK NATION	14,895
BAYFIELD	39,813	MENOMINEE	18,956	LAC COURTE OREILLES TRIBE	16,725
BROWN	126,647	MILWAUKEE	405,463	LAC DU FLAMBEAU BAND OF THE LAKE SUPERIOR TRIBE	15,372
BUFFALO	27,403	MONROE	44,143	MENOMINEE TRIBE	20,938
BURNETT	30,333	OCONTO	42,322	ONEIDA NATION	20,286
CALUMET	38,241	ONEIDA	43,138	RED CLIFF OF LAKE SUPERIOR CHIPPEWA	14,510
CHIPPEWA	53,172	OUTAGAMIE	97,003	ST. CROIX CHIPPEWA TRIBE	12,539
CLARK	43,876	OZAUKEE	51,775	SOKAOGAN TRIBE	12,677
COLUMBIA	46,588	PEPIN	18,411	STOCKBRIDGE-MUNSEE TRIBE	13,146
CRAWFORD	27,179	PIERCE	37,598	<p>Note: WEM utilizes a county/tribe's previous year's funding award amount to estimate the county/tribe's anticipated award amount at the time of publication of the grant announcement. However, FFY19 awards are not yet known so this table contains the anticipated award amounts.</p>	
DANE	247,112	POLK	43,521		
DODGE	61,660	PORTAGE	52,809		
DOOR	30,698	PRICE	36,033		
DOUGLAS	49,229	RACINE	97,345		
DUNN	42,688	RICHLAND	27,889		
EAU CLAIRE	63,478	ROCK	88,252		
FLORENCE	20,938	RUSK	31,360		
FOND DU LAC	65,166	ST. CROIX	58,867		
FOREST	30,555	SAUK	49,878		
GRANT	50,292	SAWYER	37,217		
GREEN	35,673	SHAWANO	42,098		
GREEN LAKE	24,957	SHEBOYGAN	67,011		
IOWA	32,899	TAYLOR	34,711		
IRON	25,472	TREMPEALEAU	34,889		
JACKSON	34,920	VERNON	35,940		
JEFFERSON	54,715	VILAS	33,409		
JUNEAU	34,296	WALWORTH	62,566		
KENOSHA	85,180	WASHBURN	30,145		
KEWAUNEE	25,517	WASHINGTON	74,062		
LA CROSSE	67,484	WAUKESHA	184,720		
LAFAYETTE	28,207	WAUPACA	44,315		
LANGLADE	32,940	WAUSHARA	31,148		
LINCOLN	36,644	WINNEBAGO	88,090		
MANITOWOC	54,017	WOOD	54,249		

**Match/Cost Sharing Requirement:** The EMPG county/tribal match will be equal to the actual expenditure or award amount, whichever is less. County emergency management programs may use EPCRA funds as the county's matching funds to support emergency management activities and emergency management positions that comply with the requirements of Wisconsin Statutes Chapter 323.

**Eligibility:** County and Tribal Emergency Management programs must be located in Wisconsin and designate a head of the emergency management program.

- *WEM encourages the establishment and/or retention of a full-time head of county/tribal emergency management.* WEM considers full-time as any position in which the county/tribal emergency management program allocates one-hundred percent (100%) of the time set forth in the required position description to county/tribal emergency management program duties. The individual county/tribal definition of full-time, for comparable positions within that county/tribe, may determine the number of hours per week they deem as a full-time position. Any EMPG-funded position designating a percentage of work shall devote the entire time in direct support of the county/tribal POW requirements and county/tribal emergency management program.
- An individual may not simultaneously serve as the head of emergency management for two (2) or more counties (323.14(1)(a)2.).
- WEM defines part-time as any position that is less than full-time as determined or defined by the county/tribe. WEM shall not allocate funding for any head of county/tribal emergency management position at less than half-time (less than 20 hours per week). If a county/tribe intends to employ a head of county/tribal emergency management at less than half-time, the county/tribe must first submit a written request explaining the reasons for doing so and requesting approval from the WEM Administrator.
- Counties/Tribes that hire a contractor to fill the head of emergency management position shall ensure that the contract complies with all of the FEMA EMPG requirements, Emergency Planning Community Right-to-know Act (EPCRA) planning and administration grant requirements, all applicable Wisconsin State Statutes, and all WEM program requirements. The county/tribe shall provide WEM with a copy of the contract along with the position description for the duration of the contract until it expires or there is a change in the contract. The contract shall state that the contractor or designee will be available 24 hours a day, 7 days a week, 365 days a year to respond to emergencies.

**Eligible Expenses:** Funding may be used for personnel salaries and benefits, travel, training, office and (Local Area Network) LAN telephone, cellular telephones, office supplies, postage, EMPG-authorized equipment (<https://www.fema.gov/authorized-equipment-list>) and other authorized expenses.

Any activity that occurs outside this grant's period of performance is unallowable (2 CFR 200.309). Invoices for items purchased prior to the close of the period of performance (September 30, 2020) may be paid during the Post Close-out Correction period (2 CFR 200.343). Further, subrecipients

must follow Federal, State and local regulations and laws. When these are in conflict, the most stringent needs to be followed.

All expenses must be new and cannot replace existing state or local government funding. Substitution of existing funds with federal grants (supplanting) will be the subject of monitoring and audit. Violations may result in a range of penalties, including suspension of current and future funds under this program, suspension or debarment from federal grants, repayment of monies provided under a grant, and civil and/or criminal penalties.

Grant funds may not be used for:

- The purchase of the following equipment: firearms, ammunition, grenade launchers, bayonets, or weaponized aircraft, vessels, or vehicles of any kind with weapons installed.
- Expenditures for weapons systems and ammunition
- Costs to support hiring sworn public safety officers for the purposes of fulfilling traditional public safety duties or to supplant traditional public safety positions and responsibilities
- Activities and projects unrelated to the completion and implementation of the EMPG and emergency management functions.
- Salary and fringe expenses for elected officials.



## Notice of Funding Opportunity: Plan of Work FFY2020 EMPG

### Application Components

Through Egrants, you will provide WEM with detailed information about your project that will be used to make a funding decision. Questions on what is expected in each section can be directed to the Program Manager listed on page one of this document.

#### 1. Main Summary

This page asks for information about your agency and the individuals responsible for the application and grant award. When identifying individuals involved in this grant, you may not list the same person as project director and financial officer. The financial officer is the individual responsible for financial activities in your organization while the project director will be overseeing project operations.

In the Brief Project Description text box, please describe your project in 150 words or less.

#### EGRANTS INSTRUCTION

Once each section is completed, the 'Section Completion Status' must be changed to complete. Each section must be listed as complete before the final application can be submitted.

Section Completion Status:

#### Example

Short Project Title:  FFY20 EMPG

Brief Project Description: "Funds will be used by the  to support county/tribal funding to enhance emergency management programs including but not limited to mitigation, preparedness, response, and recovery activities."

#### 2. Performance Measures

For the purposes of Performance Measures, when a deliverable that states a "County/Tribe Emergency Management Program" the requirement is for a minimum of one EMPG funded employee to accomplish the task.

- A. County/Tribe Emergency Management Program shall update and submit the county/tribal Emergency Operations Plan or Emergency Response Plan in accordance with Directive 5007.0. **Egrant Target = 1**

#### EGRANTS INSTRUCTION

The performance measure tasks have been pre-scripted. For example, the FFY20 NOFO requires participation in one regional or statewide exercise so the target listed would be 1.

Performance Measure Title: \* EMPG Exercise

Measure Type: \* Outcome

Established By: WEM

Measure Target Type: \* Unit Count

Target: \*

Description: \* Participate in one regional or statewide exercise.

- B. All EMPG-funded personnel shall complete the EMPG minimum training requirements, designated in Directive 5006.0. **Egrant Target = Total number of courses to be completed, may be zero.**
- C. EMPG funded positions defined as full time by the county which allocate 100-26% of their duties to emergency management work shall complete 32 hours of emergency management professional development training. EMPG funded positions which allocate 25% or less of their duties to emergency management work shall complete 8 hours of professional development training. Professional development training can be achieved through conference attendance or curriculum-based training as outlined below. **Egrant Target = Total number of hours for all EMPG funded positions.**
- Curriculum-based training includes IS, G, E, L, & MGT courses from WEM, FEMA, TEEX, & RDPC. Courses outside these providers should be pre-approved to ensure they meet the minimum requirements.
  - Conference examples include, but are not limited to: Governor's Conference, WEMA Conference, and MABAS Conference.
  - Completing the EMPG minimum training requirements can be applied to the 32-hour requirement.
  - Upon completion of training, personnel shall upload their training certificates to the Wisconsin Training Portal.
  - Conference attendance should be documented by a certificate or photo of name badge on top of the agenda/program.
- D. County/Tribal head of emergency management program or authorized designee shall attend scheduled region meetings. Exceptions may be granted through the Region Director. **Egrant Target = 8**
- E. County/Tribe Emergency Management Program shall execute one (1) tornado and severe weather awareness outreach initiative and five (5) county/tribal determined outreach initiatives. Within the execution of the six (6) total initiatives, at least three (3) of the following types of outreach delivery methods must be used. **Egrant Target = 6**
- Print media articles
  - Social media
  - Broadcast media appearances
  - Public Service Announcements (PSAs)
  - School visits
  - Business and/or facility site visits
  - Speaking engagements
  - County/Tribe sponsored training for the general public (i.e. NWS Storm Spotter, Stop The Bleed, etc.)
  - Brochure distribution

- Booths at fairs and/or other special events

County/Tribal emergency management programs may use existing state and federal materials and may modify them to meet their needs.

WEM encourages EMPG participants to incorporate a mitigation element into public education and emergency information activities.

- F. County/Tribe Emergency Management Program shall participate in one statewide or regionally facilitated WebEOC® drill. **Egrant Target = 1**
- G. County/Tribe Emergency Management Program shall participate in one regional or statewide exercise. **Egrant Target = 1**
  - Examples include, but are not limited to DARES, GridEX, nuclear plant exercise, or locally planned regional exercises involving three or more counties/tribes.
  - Activity F does not substitute for this requirement.
- H. County/Tribe Emergency Management Program shall complete one county/tribal lead HSEEP exercise that includes an AAR. Specifically, shall plan and conduct an HSEEP exercise (e.g. primary involvement on exercise planning team) including submission of a Situation Manual/Exercise Plan, After Action Report (AAR)/Improvement Plan (IP) and sign-in sheets. **Egrant Target = 1**
  - Activity G does not substitute for this requirement, unless the county/tribe is an active and documented member of the planning team.

### 3. Budget Detail

Complete a budget using the following categories. For each category used enter a justification that describes how the items in that category will be used during the course of the grant period. It is important that you include specific details for each budget line item, including cost calculations.

- **Personnel:** Provide the salary information for non-contractual EMPG funded employees that will be funded through this grant. List each position by title and name of employee. Use the description of your computation box to show the amount per hour multiplied by the estimated number of hours worked for each employee.
- **Employee Benefits:** Employee benefits for grant-funded personnel include FICA, Unemployment Compensation, Health Insurance, etc. Employee benefits are for the personnel listed in the budget and only for the time devoted to emergency management. Benefits shall be individually listed and not provided as a lump sum. Per 2 CFR 200.431, the cost of leave is an allowable expense as long as the following conditions are met:
  - a. Uses consistent cash accounting practices, and

b. Is not supplanting

- **Travel (Including Training):** Provide any travel and/or training costs associated with EMPG funded individual(s). Examples of eligible training and travel costs include: lodging, meals, fuel, vehicle maintenance, conference fees, etc. Cost may be provided as a lump sum.
- **Equipment:** List all regardless of cost. Provide the accompanying Authorized Equipment List (AEL) number in the “description” line.
- **Supplies & Operating Expenses:** Includes consumables such as paper, postage and software. Also includes operating expenses such as rent, utilities, membership and computer. Cost may be provided as a lump sum.
- **Consultants/Contractual:** Provide costs associated with individuals or entities providing services through a contractual arrangement. List each contract position and/or entity showing the total cost of services by line item. If claiming consultant/contractual expenses, applicants must provide a copy of the executed contract(s) to cover the performance period. If there is not an executed contract at the time of application, one will be required prior to payment.
  - Example: CodeRED, Nixle, RAVE
- **Indirect:** Includes the indirect cost as negotiated in the county/tribe’s Indirect Cost Rate Agreement (2 CFR Subpart F, Appendix V) may be provided as lump sum. If claiming indirect expenses, applicants must provide a copy of their finalized county/tribe’s Indirect Cost Rate Agreement for any county/tribe fiscal years the performance period covers. If there is not a finalized contract at the time of application, one will be required prior to payment.

Alternatively, Indirect costs for county agencies are allowable if the county develops and retains on file an approvable county-wide indirect cost allocation plan. Any allocated costs must be supported by a cost allocation plan. Both plans must be in accordance with the requirements of 2 CFR Part 225 Cost Principles for State and Local Governments and must be reviewed by the county's independent auditor as a part of the annual single audit.

**Other:** For any additional items that don’t fit into the previous categories. List each cost individually as unique budget line items.

#### *EGRANTS INSTRUCTION*

*Each component of the budget requires a response to the following questions. Sample language that can be used to complete these components is provided below.*

- *Briefly describe the overall use of funds for this budget category:*  
“Department’s [personnel costs| employee benefits | etc.”
- *Description of your computation:* “Hourly rate multiplied by the estimated number of hours worked”

#### 4. Assurances

Review the assurances as provided. When complete, select “I agree to the Assurances” at the bottom of the page.

#### 5. Required Attachments

The following is a list of forms and/or documents that must be submitted in Egrants.

##### ▪ Application

- Plan of Work Agreement
- Signed Position Description(s): The head of county/tribal emergency management shall:
  - Submit position descriptions that specify duties related to emergency management. Position description shall be signed and dated by a First-Line Supervisor, Head of Human Resources Department, County Board Chair, or Tribal Chair / President / Elected Official.
  - Contractor or consultant for EMPG/EPCRA duties: Submit all contracts detailing job specifications and deliverables. (Contractor files 1099 form.)
- Indirect Cost Rate Agreement, if claiming
  - If available at application, must cover the entire performance period. May require two agreements.
- Contracts
  - If available at application, must cover entire performance period.

##### ▪ Program Report - Final

- Plan of Work Agreement
- ERP/EOP Transmittal
- ERP/EOP Basic/Base Plan Signed Signature Page
- Professional Development Documentation
  - Wisconsin Training Portal ([www.trainingwisconsin.org](http://www.trainingwisconsin.org)) transcript
    - Reminder: Course certificates provided from sources other than the WEM training portal, must be uploaded to the portal prior to printing your transcript.
  - Conference attendance documentation
- HSEEP exercise after action report, improvement plan, sign-in sheets

- Locally planned regional exercise after action report, improvement plan, sign-in sheets, if applicable
- Outreach Documentation Form
- **Fiscal Report – Final**  
All expenses should be claimed on the Fiscal Report. Payroll summaries to support personnel costs claimed are required. If your award plus match requirements are higher than personnel costs, supply supporting documentation for expenses you wish to be reimbursed for up to your award plus match amount.  
  
Required – must submit items below.
  - Payroll summaries from the Human Resource system that can verify total salary and fringe expense, all payroll expenses must have supporting documentation.
  - Signed G-2 Form
 Optional – choose which categories the county/tribe would like to be reimbursed for up to your award amount and provide the proper supporting documentation.
  - Travel/Training – submit paid invoices/receipts in accordance with local travel policy and the county/tribe travel policy.
    - General Ledger report is sufficient for Interdepartmental charges (ex. Highway department expense transfers).
  - Equipment – submit paid invoices.
  - Supplies/Operating – submit paid invoices.
    - General Ledger report is sufficient for Interdepartmental charges (ex. Some IT or Highway department expense transfers).
    - Invoices for services covering multiple periods of performance should be prorated to fit within the performance period.
  - Consultants/Contractual – submit copies of executed contracts if not previously provided and paid invoices covering the period of performance, pro-rated if necessary.
    - Contracts must cover the entire performance period and may require submission of more than one.
  - Other – submit paid invoices.

## **Application Review and Award Criteria**

All applications must be submitted on or before the deadline and will be screened for completeness and compliance with the instructions provided in this announcement.

A WEM Administrator's designee reviews all position descriptions to ensure compliance with federal and state requirements. If a position description does not meet requirements, especially with regard to established time percentages dedicated to EMPG duties, the county/tribe is subject to losing funding eligibility for that position.

All funding calculations will be to two decimal points (e.g. \$.60 not \$.604).

EMPG: Funding formula is \$12,000 base + 75% population + 25% geographical size. Additional information is available in WEM Directive 2005.2.

- County
  - Population: WEM uses the Wisconsin Department of Administration's (DOA) population estimates for calculating the award amounts. The DOA Demographic Services center releases preliminary population estimates on August 10, and final population estimates on October 10, with a reference date of January 1 of the current year. WEM uses the most current estimates for generating its award amounts.
  - Geographical Size: WEM uses the geographical data from the U.S. Census Bureau, data file from Geography Division based on the TIGER/Geographic Identification Code Scheme (TIGER/GICS) computer file.
- Tribal: For both population and geographical size WEM uses the most current issue of Wisconsin Department of Administration's published report *Tribes of Wisconsin*.

### **Redistribution and Supplemental NOFOs**

If counties/tribes turn back funding during the close-out process, WEM will make the funding available through redistribution in accordance with Directive 2005.2 and then if funds remain through supplemental NOFOs. Please note, funds have not been available after redistribution for supplemental NOFOs in recent history.

- Redistribution: Using turnback funding, the purpose of redistribution is to provide additional federal funding to counties/tribes who did not receive funding for 50% of their salary and fringe expenses. This process is completed automatically by WEM using the salary and fringe expense information collected during close-out. No action is needed by the county/tribe to receive the funding and if awarded redistribution funding checks will be mailed automatically.
- Supplemental NOFO: In the unlikely event, funding is available after the redistribution process, WEM will announce a supplemental NOFO. Any supplemental NOFO will include the eligible equipment, required performance measures, application timeline, and performance periods.

## Post-Award Special Conditions/Reporting Requirements

Please review all of your grant award special conditions and Egrants reporting requirements when you receive the Grant Award documents. Your grant award will be subject to general terms and conditions as well as the following special conditions.

WEM's awarding of funds under this agreement is contingent upon the county/tribal emergency management program's successful completion of their entire POW. A de-obligation letter will be sent to any county/tribal emergency management programs that do not use their entire award amount.

The following special conditions and reporting requirements also apply.

- **General**

- The U.S. DHS - FEMA does not provide written guidance for the current grant performance year until late into the Federal Fiscal Year (FFY). WEM reserves the right to amend this grant guidance or enclosures in accordance with U.S. DHS - FEMA provided federal guidance. WEM will provide counties/tribes with as much advance notice as possible prior to implementing any modifications to this grant announcement and grant award.
  - State & Territory EMPG awards are based on Section 662 of the Post-Katrina Emergency Management Reform Act of 2006, as amended, (6 U.S.C. § 762). All 50 states, the District of Columbia, and Puerto Rico receive a base amount of 0.75 percent of the total available funding appropriated for the EMPG. Four territories (American Samoa, Guam, Commonwealth of the Northern Mariana Islands, and the U.S. Virgin Islands) receive a base amount of 0.25 percent of the total available funding appropriated for the EMPG. The balance of the funds appropriated for the EMPG funds are distributed on a population-share basis.

Fiscal Year	WEM Federal Share	Federal Program Allocation
FFY18	\$6,319,363	\$350,100,000
FFY17	\$6,337,094	\$350,100,000
FFY16	\$6,351,133	\$350,100,000
FFY15	\$6,370,898	\$350,100,000

- Procurement: Recipient's and subrecipients shall use their own procurement standards and regulations, provided that the procurement conforms to applicable Federal law and the standards identified in the Procurement Standards Sections of 2 CFR 200.318-326. For additional information, see Supporting Document #6 *Summary of Procurement under Grants Requirements* and Supporting Document # 7 *Fact Sheet Sole Source Justification*. Subrecipients are required to maintain and retain the following: backup documentation (such as bids and quotes), cost/price analyses and any other documentation created during the procurement process. See Record Retention section below for information on the length of time records must be maintained.



- Allowable Grant Activities: This funding is intended to support planning and implementation of activities and deliverables as outlined in the grant application and associated project proposal documents submitted to WEM.
- Monitoring: Participate in program monitoring initiated by the EMPG Program Manager including, but not limited to, site visits to discuss current plan of work progress and request for status updates on work product status via email.
- Documentation of expenditures: Subrecipients are responsible for maintaining grant files at the local level, the following are items required by the federal government: specifications, solicitations, competitive quotes or proposals, basis for selection decision, purchase orders, contracts, invoices and cancelled checks. FEMA or the State may request copies of purchasing information at any time, along with copies of cancelled checks for verification. Failure to provide full documentation of purchases may find their expenditures questioned and subsequently disallowed.
- Record Retention: Follow local or state policy, whichever is stricter. In accordance with 2 CFR 200.333, WEM follows Wisconsin General Records Schedule of Administrative and Related Records, Records Disposition Authority (RDA) Number ADM00013 Grant Documentation: all records pertaining to a grant are to be kept 4 years past the date of final report or notification of denial. Records past the 4 year requirement will be destroyed confidentially.
- Executive Compensation Reporting: Review 2 CFR 170 Attachment A located at [https://www.ecfr.gov/cgi-bin/text-idx?SID=020fde3ddbe80cf4e71c1ae9a90a9e6f&mc=true&node=ap2.1.170\\_1330.a&rgn=div9](https://www.ecfr.gov/cgi-bin/text-idx?SID=020fde3ddbe80cf4e71c1ae9a90a9e6f&mc=true&node=ap2.1.170_1330.a&rgn=div9). If executive compensation is required and is not being reported in the places identified by 2 CFR 170 Attachment A please contact your Region Director.
- Grant Close-out: Additional guidance and support will be provided at the conclusion of the grant performance period to support the county/tribe through the Egrants close-out process.

▪ **Information Requests**

- Data-calls for additions, deletions, and/or modifications to the Critical Infrastructure/Key Resources (CIKR), NIMS Resource Typing and/or updates to the Special Event List as requested.

From time to time, as disaster events or other incidents dictate, WEM may have additional reporting, data call, and/or information requests. WEM will provide as much advanced notice as possible, but circumstances may require immediate responses and county/tribal emergency management programs shall do their best to comply with such request from Region Directors or WEM staff by the requested time.

▪ **WebEOC®**

- To facilitate sharing of information and common operating picture during a

disaster, all heads of county/tribal emergency management shall register in WebEOC® and be capable of utilizing the system.

- County/Tribal emergency management programs are strongly encouraged register all emergency management program personnel.
- Submit situation reports and damage assessment reports.

▪ **Disasters**

- Perform tasks associated with administration of the Wisconsin Disaster Fund.
- Perform tasks associated with administration of the Public Assistance (PA) Program.
- Perform tasks associated with administration of the Individual Assistance (IA) Program.

▪ **Equipment**

- Purchase Approval: All equipment items must be approved by the EMPG Program Manager prior to purchase in order to be eligible for EMPG funding.
- System for Award Management: It is the responsibility of the subrecipient to verify with the System for Award Management that each vendor/contractor used by the county/tribe to purchase goods are not debarred.
- Equipment Training: All personnel who utilize equipment purchased with funds from this grant must receive training either through the equipment vendor or other competent source specific to that piece of equipment before it is put into service. The subrecipient is required to maintain proper training records.
- Equipment subject to mutual aid agreements: Emergency response capabilities developed using these grant funds must be made available to other emergency response agencies regionally, as may be required for incident response purposes.
- Statewide Communications Interoperability Plan Compliance: Communications projects and equipment purchases must comply with Wisconsin's Statewide Communications Interoperability Plan.
- Equipment Maintenance & Disposal: Equipment shall be maintained and available to use as intended by the grant for the duration of its useful life. The subrecipient is required to maintain proper equipment records. Subrecipient's seeking to dispose or transfer ownership should reference Attachment 6 for additional information.
- Sustainment Costs: Agencies that accept funding are responsible for all sustainment costs.
- Equipment Transfer: Grant recipients must complete and file the Equipment Transfer Agreement form with each agency accepting the equipment.
- All EMPG funded purchases shall follow county/tribal procurement policies or state procurement policy, whichever is stricter.

- Equipment purchased with EMPG funds shall be maintained and available to use as intended by the grant for the duration of its useful life. Maintenance records are required.
- **Exercises**
  - HSEEP for Exercises: All exercises must follow the exercise methodology as directed by the Homeland Security Exercise Evaluation Program (HSEEP) Reference Directive 5005.4 available in the WebEOC advanced file library.
- **Environmental and Historic Preservation Review**
  - EHP Review: Subrecipients proposing projects that have the potential to impact the environment, including, but not limited to, construction of communication towers, modification or renovation of existing buildings, structures and facilities, or new construction including replacement of facilities, must participate in the DHS/FEMA Environmental and Historic Preservation (EHP) review process. The EHP review process involves the submission of a detailed project description along with supporting documentation, so that FEMA may determine whether the proposed project has the potential to impact environmental resources and/or historic properties. For most reviews, the process may be completed in 30 days, but for more complex projects involving construction, the process may be six to twelve months.
  - EHP Documentation: The subrecipient is responsible for the preparation of the documentation required to fulfill compliance responsibilities under the Federal EHP laws; this documentation may include, but is not limited to site studies, biological assessments, archaeological surveys, environmental assessments, and environmental impact statements. Costs associated with the preparation of these documents are allowable grant expenditures. All costs must be approved by WEM.
  - EHP Mitigation: The subrecipient is responsible for implementation of any mitigation measures required to address potential adverse impacts that may be identified during the EHP review process.

## **SUPPORTING DOCUMENTATION**

- 1. Plan of Work Agreement**
- 2. EOP/ERP Transmittal**
- 3. Outreach Documentation Form**
- 4. Plan of Work Narrative Questions**
- 5. G2 Fund Request**
- 6. Equipment Disposal (and form)**
- 7. Amendments**
- 8. Post Close-out Corrections**
- 9. Summary of Procurement under Grants Requirements**
- 10. Fact Sheet Sole Source Justification**
- 11. Summary of Federal EMPG Requirements and Encouraged Activities**

ATTACHMENT 1 PLAN OF WORK AGREEMENT

Fillable version available at WebEOC® > Advanced File Library > Plan of Work Documents > FFY20 EMPG

PLAN OF WORK AGREEMENT  
for the  
Emergency Management Performance Grant (EMPG)

Applicant:

DUNS Number:

Sam.gov CAGE Code:

I hereby certify that all data provided in this grant application are true and correct. I have read and understand the grant assurances, project deliverables, financial deliverables, including post-award special conditions/reporting requirements.

I understand that receipt of Federal grant funds under the Emergency Management Performance Grant (EMPG) are dependent upon successful completion of the EMPG project and financial deliverables including post-award special conditions/reporting requirements.

I understand that failure to complete the EMPG project and financial deliverables including post-award special conditions/reporting requirements as agreed to and within the prescribed time frames will result in the delay or loss of grant funds.

APPLICATION:

Award Amount Eligible For Under EMPG (estimated)

\_\_\_\_\_  
Head of County/Tribal Emergency Management (Signature) Date

\_\_\_\_\_  
County Board Chair / Executive / Administrator (Signature) Date  
Tribal Chair/President/Elected Official (Signature)

CLOSE-OUT REPORT:

Award Amount Eligible For Under EMPG (final award amount)

We have prepared / reviewed the attached twelve (12)-month progress report and are submitting it to Wisconsin Emergency Management for approval.

\_\_\_\_\_  
Head of County/Tribal Emergency Management (Signature) Date

\_\_\_\_\_  
County Board Chair / Executive / Administrator (Signature) Date  
Tribal Chair/President/Elected Official (Signature)

## ATTACHMENT 2 EOP/ERP TRANSMITTAL

Fillable version available at WebEOC® > Advanced File Library > Plan of Work Documents > FFY20 EMPG

### Wisconsin Emergency Management Emergency Operation Plan Transmittal

COUNTY/TRIBE			
Title	Reviewed	Pages Updated	Currency Date
Table of Contents	Y N NA		
Acronyms	Y N NA		
Legal Basis	Y N NA		
EOC Phone List	Y N NA		
Crosswalk to CPG 101 V2	Y N NA		
Title	Reviewed	Pages Updated	Currency Date
Basic Plan	Y N NA		
Annex A	Y N NA		
Annex B	Y N NA		
Annex C	Y N NA		
Annex D	Y N NA		
Annex E	Y N NA		
Annex F	Y N NA		
Annex G	Y N NA		
Annex H	Y N NA		
Annex I	Y N NA		
Annex J	Y N NA		
Annex K	Y N NA		
Annex L	Y N NA		

*The signatures below certify that the information provided on this form is true and complete to the best of our knowledge and that the plan has been developed/reviewed/maintained in accordance with with state and local requirements.*

County/Tribal Chair/Executive/Administrator: \_\_\_\_\_ Date: \_\_\_\_\_

County/Tribal Emergency Manager: \_\_\_\_\_ Date: \_\_\_\_\_

**Wisconsin Emergency Management  
Emergency Response Plan Transmittal**

<b>COUNTY/TRIBE</b>			
<b>Title</b>	<b>Reviewed</b>	<b>Pages Updated</b>	<b>Currency Date</b>
Table of Contents	Y N NA		
Acronyms	Y N NA		
Legal Basis	Y N NA		
EOC Phone List	Y N NA		
Crosswalk to CPG 101 V2	Y N NA		
<b>Title</b>	<b>Reviewed</b>	<b>Pages Updated</b>	<b>Currency Date</b>
Basic Plan	Y N NA		
ESF #1	Y N NA		
ESF #2	Y N NA		
ESF #3	Y N NA		
ESF #4	Y N NA		
ESF #5	Y N NA		
ESF #6	Y N NA		
ESF #7	Y N NA		
ESF #8	Y N NA		
ESF #9	Y N NA		
ESF #10	Y N NA		
ESF #11	Y N NA		
ESF #12	Y N NA		

*The signatures below certify that the information provided on this form is true and complete to the best of our knowledge and that the plan has been developed/reviewed/maintained in accordance with with state and local requirements.*

County/Tribal Chair/Executive/Administrator: \_\_\_\_\_ Date: \_\_\_\_\_

County/Tribal Emergency Manager: \_\_\_\_\_ Date: \_\_\_\_\_

Wisconsin Emergency Management  
Emergency Response Plan Transmittal

Additional ESFs or Annexes, complete as necessary.

Title	Reviewed	Pages Updated	Currency Date
	Y N NA		
	Y N NA		
	Y N NA		
	Y N NA		
	Y N NA		
	Y N NA		
	Y N NA		
	Y N NA		
	Y N NA		



ATTACHMENT 3 OUTREACH DOCUMENTATION

Fillable version available at WebEOC® > Advanced File Library > Plan of Work Documents > FFY20 EMPG

FFY20 EMPG: OUTREACH DOCUMENTATION

County/Tribe

	Topic (i.e. severe weather, heat, etc.)	Type of Activity (i.e. press release, school visit, etc.)	Date of outreach initiative	Name of person who completed outreach initiative
1		Select from the following options		
2		Select from the following options		
3		Select from the following options		
4		Select from the following options		
5		Select from the following options		
6		Select from the following options		

## ATTACHMENT 4 POW NARRATIVE QUESTIONS

The following narrative questions will be required in Egrants during the financial close-out and are provided here as a reference.

1. **Planning:** Document the process used to update your county/tribe EOP/ERP including meetings held, process for whole community inclusion, and related information.
2. **Exercises:** Explain the key lessons learned from your program's exercise initiatives.
3. **Grants:** Document any grant initiative's currently within the county/tribe emergency management program. Examples: PDM, Flood Mitigation Assistance, HMEP, HMGP, Computer and HazMat Equipment Grant, HS Exercise, etc.
4. **Local Initiatives (Outreach, Meetings, Trainings Provided):** Explain the benefit your emergency management program generates by participating on committees, providing public outreach, and hosting local training initiatives.

### Example

[County/Tribe] continually works to maintain relationships with our responders, county departments and community partners, ensuring we have communication and a clear understanding of expectations and needs of the Emergency Management Office. We continue to attend fire, EMS, and law meetings as well as local Red Cross meetings. We also work with other local partners and have attended several of their exercises.

5. **Emergencies/Disasters:** Summarize any disaster response or recovery activities performed in the performance period. Suggested items to include:
  - a. Providing situational awareness to Region Director and/or on WebEOC®
  - b. Surveying damages (ground truthing)
  - c. Meetings with local officials to determine damage costs
  - d. Preliminary damage assessments (PDAs)
  - e. Activities associated with administering Wisconsin Disaster Fund, FEMA Public Assistance, FEMA Individual Assistance, Small Business Administration, WI-DOT Disaster Damage Aids, CDBG Disaster Recovery funds, etc.
  - f. Providing mutual aid/assistance to other county/tribe(s).

### Example

There were no disaster activities during the performance period, as the [County/Tribe] did not experience any disaster-related damages that needed to be reported and was not in the process of recovery.

6. **Additional Information:** Explain any additional information not already captured.

## ATTACHMENT 5 G2

Fillable version available at WebEOC® > Advanced File Library > Plan of Work Documents > FFY20 EMPG

### FINANCIAL REPORT/FUND REQUEST (G-2)

#### WISCONSIN EMERGENCY MANAGEMENT

2400 Wright Street, PO Box 7865  
Madison, WI 53707-7865

SEE INSTRUCTIONS ON **INSTRUCTION TAB** BEFORE COMPLETING FORM

GRANTEE NAME (AS SHOWN ON GRANT AWARD)	REPORT PERIOD XX/XX/XXXX to XX/XX/XXXX	GRANT NUMBER
PROJECT TITLE	GRANT PERIOD XX/XX/XXXX to XX/XX/XXXX	
IS THIS THE FINAL REPORT FOR THIS GRANT? <input type="checkbox"/> YES <input type="checkbox"/> NO		

#### PART I: EXPENSES - REPORT ACTUAL EXPENSES

BUDGET CATEGORIES	Column 1 FED/STATE CURRENT EXPENSES	Column 2 FED/STATE EXPENSES TO DATE	Column 3 MATCH EXPENSES TO DATE (IF REQUIRED)	Column 4 (2 + 3) EXPENSES TO DATE INCLUDING MATCH	Column 5 APPROVED BUDGET INCLUDING MATCH	Column 6 BALANCE
PERSONNEL			0.00	0.00		\$ -
EMPLOYEE BENEFITS			0.00	0.00		\$ -
TRAVEL/TRAINING			0.00	0.00		\$ -
EQUIPMENT			0.00	0.00		\$ -
SUPPLIES/OPERATING			0.00	0.00		\$ -
CONSULTANTS/CONTRACTUAL			0.00	0.00		\$ -
OTHER			0.00	0.00		\$ -
TOTAL	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

#### PART II: FUNDS REPORT AND REQUEST

	RECEIVED TO DATE	NOW REQUESTED
FED/STATE FUNDS	\$ -	\$ -

#### PART III: PERSON RESPONSIBLE FOR G-2 COMPLETION

NAME	TELEPHONE

#### PART IV: GRANTEE CERTIFICATION

I CERTIFY THAT THE ABOVE REPORT IS COMPLETE AND THAT ALL INFORMATION IS CONTAINED IN THE PERMANENT FISCAL RECORDS OF MY ORGANIZATION.  
ORIGINAL SIGNATURES OF BOTH THE PROJECT DIRECTOR AND FINANCIAL OFFICER MUST BE PROVIDED. MUST MATCH EGRANT.

SIGNATURE OF PROJECT DIRECTOR DATE

SIGNATURE OF FINANCIAL OFFICER DATE

#### FOR WEM OFFICE USE ONLY:

AMOUNT VOUCHERED	_____	CODE	_____
DATE VOUCHERED	_____	VO#	_____
CONDITIONS:	<input type="checkbox"/> YES <input type="checkbox"/> NO		

## **ATTACHMENT 6 EQUIPMENT DISPOSAL**

Equipment grants funded with EMPG funds have an award special condition that states: Equipment shall be maintained and available to use as intended by the grant for the duration of its useful life. Disposal of equipment must follow all applicable local, state, and federal guidelines. The subrecipient must maintain records of any equipment disposal or transfer of ownership. Any proceeds from the sale of equipment at or near the end of its useful life will be considered program revenue and must be reinvested into eligible EMPG expenses.

Reference: Code of Federal Regulations (CFR) 44 CFR 13.32

- (1) Items of equipment with a current per-unit fair market value of less than \$5,000 may be retained, sold or otherwise disposed of with no further obligation to the awarding agency.
- (2) Items of equipment with a current per-unit fair market value in excess of \$5,000 may be sold or traded-in and the proceeds used to offset the cost of replacement equipment.
- (3) If not reinvested, the federal awarding agency has a right to an amount calculated by multiplying the current market value or proceeds from sale by the awarding agency's share of the equipment.

Emergency Management Performance Grant (EMPG)  
Equipment Disposition Request/Report

Agency Name & Address:

Federal Grant or other identifying number:

Date of Request:

Equipment grants funded with EMPG funds have an award special condition that states: Equipment shall be maintained and available to use as intended by the grant for the duration of its useful life. Disposal of equipment must follow all applicable local, state, and federal guidelines. The sub-grantee must maintain records of any equipment disposal or transfer of ownership. Any proceeds from the sale of equipment at or near the end of its useful life will be considered program revenue and must be reinvested into eligible EMPG expenses.

Reference: Code of Federal Regulations (CFR) 44 CFR part 33.32

- (1) Items of equipment with a current per-unit fair market value of less than \$5,000 may be retained, sold or otherwise disposed of with no further obligation to the awarding agency.
- (2) Items of equipment with a current per-unit fair market value in excess of \$5,000 may be sold or traded-in and the proceeds used to offset the cost of replacement equipment.
- (3) If not reinvested, the federal awarding agency has a right to an amount calculated by multiplying the current market value or proceeds from sale by the awarding agency's share of the equipment.

	Description of Item	Identification Number	Acquisition Date	Acquisition Cost	Current Fair Market Value	Federal Share	Location	Condition	Recipient's Disposition Request	Approve	Deny
1											
2											
3											
4											
5											
6											
7											
8											
9											
10											

Comments:

Name & Title of Authorized Representative:
Signature:

WEI Signature:	Michelle Harries, Response Section Supervisor
WEI Signature:	Region Director

## **ATTACHMENT 7 AMENDMENTS**

The following is a listing of the situations in which an amendment to your EMPG should be filed through the Egrants system. Amendment(s) must be submitted 15 days prior to close-out and are not considered authorized until formally accepted by the program manager in Egrants.

- Expenses will be 10% greater than the total EMPG budget
- Proposed purchase of equipment not currently listed on the EMPG application
- Addition of new emergency management department staff receiving EMPG funding not previously listed in the EMPG application.
- Transferring expenses from one budget category to another

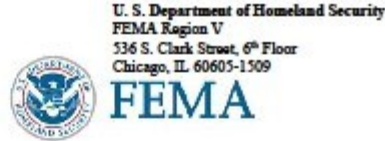
Please note, additional situations may arise that will require an amendment and should be completed at the request of WEM staff.

## **ATTACHMENT 8 POST CLOSE-OUT CORRECTIONS**

In the unlikely event, that an allowable expense was not included in the grant close-out AND the county/tribe has not met or exceeded its EMPG award a correction to the grant close-out can be made until January 15, 2021. After such time corrections will not be allowed.

To request a post-close-out correction, send an email with the invoice(s) and explanation to the EMPG program manager. The documentation will be reviewed, validated and approved or denied following the EMPG close-out process and procedures.

## ATTACHMENT 9 SUMMARY OF PROCUREMENT UNDER GRANTS REQUIREMENTS



### Summary of Procurement under Grants Requirements

#### **At a minimum, subrecipients must:**

- Follow their documented procurement procedures and the Federal procurement standards;
- Maintain written standards of conduct that address conflicts of interest for employees engaged in contract awards and administration;
- Carefully document all steps of a procurement;
- Perform an independent estimate for all procurement actions regardless of amount before receiving quotes, bids, or proposals;
- Perform a cost or price analysis for procurement actions exceeding the small purchase threshold of \$150,000 (or the equivalent local or state threshold, whichever is less);
- Take the required six affirmative steps to encourage small and woman/minority-owned businesses to participate in the contracting process;
- Prohibit contractors from competing for a contract on contract where they developed or drafted specifications, statements of work, invitations for bid or requests for proposal;
- Prohibit the use of geographic preferences in the evaluation of bids or proposals; and
- Include contract provisions required by section 2 CFR §200.326.

#### **Acceptable methods of procurement:**

- **Micro Purchase** – For purchases less than \$3,500 (or the local or state threshold, whichever is less). This method does not require competitive quotations, but Subrecipients must equitably distribute purchases among qualified suppliers.
- **Small Purchase** – For purchases less than \$150,000 (or the local or state threshold, whichever is less). Subrecipients must obtain price or rate quotations from an adequate number of qualified sources.
- **Sealed Bids** – Subrecipients publicly advertise for bids from an adequate number of known suppliers (at least 3 sources) and award the contract to the lowest responsive and responsible bidder. Preferred for construction contracts.
- **Competitive Proposals** – Subrecipients solicit proposals from an adequate number of qualified sources, identifying award evaluation factors, and award the contract to the responsible firm whose proposal is most advantageous, considering price and other factors. If awarded on other factors, price may be negotiated after the award. Preferred for architectural, engineering and professional services.
- **Noncompetitive Proposals** – Solicitation of a proposal from only one source. Although all procurement transactions must be conducted in a manner providing full and open competition, Subrecipients may use noncompetitive proposals if the Subrecipient has documented how the situation has created an urgent need to perform the work sooner than a competitive process would allow. One of the following circumstances must apply:
  - The item is available only from a single source;
  - After soliciting a number of sources, competition is determined to be inadequate; or
  - A public emergency or exigency exists. An emergency exists if documented threats to health, life or safety will not permit a delay resulting from competitive solicitation. An exigency exists if threats requiring an immediate response will not permit a delay



resulting from competitive solicitation. Subrecipients must transition to a competitively procured contract quickly, as soon as the urgent need ends.

**Prohibited and Restricted Contracts:**

- **Cost-Plus-Percentage-of-Cost Contracts** – Contracts that provide the contractor's profit as a percentage of the project costs. These contracts are **prohibited, and ineligible** for FEMA grant funding.
- **Piggyback Contracts** – Adoption of another jurisdiction's pre-existing contract. A contract solicited and awarded by another entity, under different circumstances may be materially different from the Subgrantee's needs in terms of scope or requirements. It may result in a non-competitive procurement or otherwise fail to meet the Subrecipient's obligations under the federal procurement standards.
- **Time and Material (T&M) Contracts** – T&M contracts can be used only for a reasonable period of time, and when no other contract is suitable (usually when scope and duration is unclear). The contract must include a ceiling price the contractor exceeds at its own risk. Subrecipients must document why no other contract is suitable, maintain tight oversight over T&M contracts to ensure reasonable costs, and switch to a different contract type once they can define a scope of work.
- **Pre-Awarded Contracts** Pre-positioned or standby contracts that may be used if certain conditions are met:
  - The contract complied with federal procurement standards when it was solicited and awarded;
  - The subrecipient re-examined the contract to ensure it complies with the current federal procurement standards;
  - If the pre-awarded contract does not comply with current federal procurement standards, the subrecipient determined that contract modification was legally permissible under state, local or tribal law and brought the contract into compliance;
  - The subrecipient determined that the pre-awarded contract's scope of work was broad enough to cover the type and extent of work to be awarded (out of scope work cannot be performed under a pre-awarded contract); and
  - The subrecipient determined that the associated prices/costs established in the pre-awarded contract remain fair and reasonable (a 4-5 year old contract should probably be re-competed).

**Additional Resources:** Full procurement regulations can be found in the Code of Federal Regulations at 2 CFR §200.318 – 200.326. Tools to help understand and apply the regulations may be found at [www.fema.gov/procurement-disaster-assistance-team](http://www.fema.gov/procurement-disaster-assistance-team). You may also request that FEMA provide a Procurement under Grants training to your organization.

**Applicability:** These procurement standards apply subrecipients receiving FEMA funds in all emergency and disaster declarations declared after December 26, 2014.

**Disclaimer:** This document is intended to highlight for sub-recipients receiving FEMA public assistance grants the requirements of the federal procurement standards. It is not intended to be comprehensive of all requirements, serve as legal advice, or replace the advice of your servicing legal counsel.

# ATTACHMENT 10 FACT SHEET SOLE SOURCE JUSTIFICATION

U.S. Department of Justice  
Office of Justice Programs



## Fact Sheet

[www.ojp.gov](http://www.ojp.gov)

### Sole Source Justification

#### What is "sole source" procurement?

Procurement by noncompetitive proposals, referred to as sole source procurement, is procurement through solicitation of a proposal from only one source. Sole source procurements must adhere to the standards set forth in 2 C.F.R. § 200.320(f) in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, as adopted by the U.S. Department of Justice in 2 C.F.R. § 2800.101. To help determine when a sole source procurement may be used, see OJP's *Sole Source Review Checklist*.

#### When is sole source approval required by OJP?

***All sole source procurements require adequate written justification that meets the criteria listed below and documentary support in the procurement file to be allowable.***

A recipient must also request and receive written approval from OJP **prior to** purchasing equipment, technology, or services; obligating funding for a contract; or entering into a contract with award funds related to sole source procurements in excess of the simplified acquisition threshold, as determined by the Uniform Guidance (currently \$150,000). For the purchase of equipment, technology, or services under an OJP award – to include but not limited to noncompetitive ('sole source') procurements, recipients must use their own documented procurement procedures that reflect applicable state and/or local laws and regulations, as long as those requirements conform to the federal procurement standards set forth in 2 C.F.R. § 200.318. A sole source justification request should only be submitted if a recipient determines that the award of a contract through a competitive process is infeasible.

Sole source procurement should be used only when competitive solicitation procedures like sealed bids or competitive proposals are not applicable to the requirements or are impracticable.

Recipients may conduct noncompetitive ('sole source') procurement through solicitation of proposals from only one source when one or more of the following circumstances apply:

- The item/service is available only from one source.
- The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation.
- Competition is determined inadequate after solicitation of a number of sources.

#### What documentation must be submitted to OJP for sole source approval?

An award recipient must initiate a *Sole Source Approval Grant Adjustment Notice (GAN)* in the Office of Justice Programs (OJP) Grants Management System (GMS) to request approval to enter into a noncompetitive contractual relationship with a contractor under a Federal award, where the contracted cost exceeds the Simplified Acquisition Threshold (currently \$150,000).

To assist in OJP's review include a copy of the completed Sole Source Review Checklist with the GAN submission along with the written justification. The outline below may be helpful in preparing your agency's sole source request and ensuring that all of the necessary information is included. The request should include the following information:

**Section I.** A brief description of the project, the amount to be designated for the sole source procurement, the purpose of the contract and an itemized budget for the contract amount.



**Section II.** (a) An explanation as to why it is necessary to contract in a noncompetitive manner and (b) Which one (or more) of the three circumstances identified below, for which OJP will consider approval of a sole source contract, applies to the procurement transaction (include supporting information as identified below under the applicable section(s)):

1. If the item or service is available only from one source, please include the following:
  - Uniqueness of items or services to be procured from the proposed contractor or vendor (e.g., compatibility or patent issues)
  - How the agency determined that the item or service is only available from one source (e.g., market survey results, independent agency research, patented or proprietary system)
  - Explanation of need for contractor's expertise linked to the current project (e.g., knowledge of project management, responsiveness, experience of contractor personnel, and/or prior work on earlier phases of project)
  - Any additional information that would support the case.
2. If the public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation, please include the following:
  - Description of the public exigency or emergency
  - Need for the contract and period of performance
  - Impact on project if deadline/dates are not met

*Note: Time constraints will not be considered a factor if the award recipient has not sought competitive bids in a timely manner. Examples of public emergencies include natural disasters or other incidents requiring an urgent or immediate*

*response.*

- How long it would take an alternate contractor to reach the same required level of competence (equate to dollar amounts, if desired)
  - Any additional information that would support the case
3. If competition is determined inadequate after solicitation of a number of sources, please include the following:
    - Results of a market survey to determine competition availability; if no survey is conducted, please explain why not
    - Any additional information that would support the case

**Section III.** A declaration that this action/choice is in the best interest of the agency.

Failure to provide all of the necessary information will delay the processing of your request. Your agency will be contacted if any of the identified information is missing or if additional supporting information is required. If OJP determines that the request does not meet the standards set forth above, the request will be denied.

Please be advised that conflicts of interest are prohibited under the procurement standards set forth in 2 C.F.R. § 200.318(c). In addition, program funds should not be awarded to any party that is debarred or suspended from participation in federal assistance programs.

If you have any questions regarding the federal requirements that guide procurement procedures, please contact your Grant Program Specialist or Program Manager.

#### Contact OJP

For further information on procurement under awards, please see *Chapter 3.8: Procurement Under Awards of Federal Assistance*, in the [2015 Department of Justice \(DOJ\) Grants Financial Guide](#).

May 2017

# Sole Source Review Checklist

Tool to assess the merits of a sole source approval request



A *Sole Source Approval Grant Adjustment Notice (GAN)* in the Office of Justice (OJP) Grants Management System (GMS) must be initiated to request approval to enter into a noncompetitive contractual relationship, with a contractor under an award, where the contracted cost exceeds the Simplified Acquisition Threshold of \$150,000. The sole source justification should include adequate information to address the elements below. In addition, a copy of the itemized budget for the contract amount should be attached to the *Sole Source Approval GAN*.

Below is a checklist intended to help evaluate sole source requests. The sole source approval request only needs to meet one of the qualifying situations listed on this checklist. *All the conflict of interest of interest items must be addressed in the justification.*

## Item Only Available Through a Single Source

- ☐ Does independent research through internet searches or discussions with subject matter experts corroborate that the item is available only from a single source?
- ☐ Does the request demonstrate the uniqueness of items or services to be procured from the proposed contractor or vendor (e.g., compatibility or patent issues, etc.)?
- ☐ Does the request demonstrate and support how it determined that the item or service is only available from one source (e.g., market survey results, independent agency research, patented or proprietary system)?
- ☐ Does the request demonstrate a significant need for contractor's expertise linked to the current project (e.g., knowledge of project management, responsiveness, experience of contractor personnel, and/or prior work on earlier phases of project)?

## Public Emergency

- ☐ Is there a public emergency such as a natural disaster or catastrophic event?
- ☐ Has there been a declared state of emergency in which these goods and services will be needed?
- ☐ Is there an immediate health or safety concern?

## Inadequate Competition

- ☐ Does the request adequately describe the efforts to competitively contract for this item? For example, were requests for proposals or bids conducted and what was the nature of the responses?
- ☐ Does the request adequately describe the efforts to ensure the contract pricing is fair and reasonable?
- ☐ Does the request provide results of a market survey to determine competition availability or explained why no survey was conducted?

## Conflict of Interest/Suitability/Procurement Standards *(justification must address all items)*

- ☐ Does the request ensure there is no conflict of interest with the proposed vendor?
- ☐ Does the request indicate that the Excluded Parties List was checked and that the proposed vendor has not been debarred from receiving federal funds?
- ☐ Does the request include evidence that the procurement will be competed in compliance with the organization's procurement policies and the procurement standards outlined in the DOJ Grants Financial Guide and the Uniform Guidance, including the required contract provisions?



U.S. Department of Justice  
Office of Justice Programs  
Office of Audit, Assessment, and Management



## **ATTACHMENT 11 SUMMARY OF FEDERAL EMPG REQUIREMENTS AND ENCOURAGED ACTIVITIES**

The following is a list of requirements and encouraged activities that WEM is required to document in its EMPG application to FEMA. FEMA is NOT requiring States to mandate sub-recipients complete the same activities; however, as there were significant additions to the FFY19 federal application the information is being provided for awareness.

### Shall

- Develop and maintain a Distribution Management Plan as an annex to their Emergency Operations Plan.
- Negotiate an exercise program that addresses capability gaps in the priority areas of logistics distribution management planning, evacuation plan/annex, disaster financial management, catastrophic disaster housing and resilient communications.

### Strongly Encourages

- Establish State-Led Disaster Housing Task Force plan and update the plan at least once every two years.
- Update State Housing Strategy.
- Develop the capacity to administer FEMA Direct Housing Assistance through a reimbursable Inter-Governmental Services Agreement.
- Establish a State Disaster Recovery Coordinator.
- Include disaster financial management planning as part of their State Administrative Plan.

*The above is for informational purposes only and NOT required activities.*